

STATE OF RHODE ISLAND AND
PROVIDENCE PLANTATIONS,
DEPARTMENT OF HEALTH,
BOARD OF MEDICAL LICENSURE
AND DISCIPLINE

No. C90-138

In Re: The Matter of
Abdalla Abadier, M.D.

CONSENT ORDER

Pursuant to Section 5-37-5.1 of the General Laws of the State of Rhode Island, 1956, as amended, a complaint was filed with the Board of Medical Licensure and Discipline (hereinafter referred to as "Board") charging Abdalla Abadier, M.D., Respondent with violations of Section 5-37-5.1 of the General Laws of the State of Rhode Island, 1956, as amended. An investigation was conducted by Investigating Committee I, so called of the Board. After consideration by Investigating Committee I of the Board. Investigating Committee I reported its evaluations and recommendations to the Board. The report was reviewed by the Board and it recommended further action.

The following constitutes the Investigating Committee's Findings of Fact with respect to the professional performance of the Respondent.

FINDINGS OF FACT

(1) The Respondent and two hospitals reached an agreement restricting his admitting and surgical privileges which included requiring the Respondent to obtain a consultation before performing surgery. The Respondent violated the terms of these agreements at each hospital.

(2) The Board finds that the Respondent's actions constitute unprofessional conduct in violation of Rhode Island General Laws 5-37-5.1 (27) by failing to maintain standards established by peer review.

The parties agree as follows:

- (1) Respondent is a physician licensed and doing business under and by virtue of the Laws of the State of Rhode Island, allopathic license No. 3960. Respondent's mailing address is 333 School Street, Pawtucket, Rhode Island, 02861.
- (2) Respondent admits to the jurisdiction of the Board and hereby agrees to remain under the jurisdiction of the Board.
- (3) Respondent has read this Consent Order and understands that it is a proposal of the Investigating Committee I of the Board and is subject to the final approval of the Board. This Consent Order is not binding on respondent until final ratification by the Board.
- (4) Respondent hereby acknowledges and waives:
 - a. The right to appear personally or by counsel or both before the Board;
 - b. The right to produce witnesses and evidence in her behalf at a hearing;
 - c. The right to cross examine witnesses;
 - d. The right to have subpoenas issued by the Board;
 - e. The right to further procedural steps except for those specifically contained herein;
 - f. Any and all rights of appeal of this Consent Order;
 - g. Any objection to the fact that this Consent Order will be presented to the Board for consideration and review;
 - h. Any objection to the fact that it will be necessary for the Board to become acquainted with all evidence pertaining

to this matter in order to review adequately this Consent Order;

i. Any objection to the fact that potential bias may occur as a result of the presentation of this Consent Order to the Board.

(5) If the Consent Order is not accepted by the Respondent, the Investigating Committee will recommend to the Board that an Administrative Hearing be scheduled with respect to any and all acts of alleged unprofessional conduct. If the Board approves a Hearing Committee will be convened for the purpose of conducting an Administrative Hearing. The composition of the Hearing Committee is described by statute. If the Hearing Committee votes in favor of finding the Respondent guilty of unprofessional conduct as specified in the charges, the Board shall prepare written findings of fact and law in support of said conclusion. If the accused is found not guilty, the Board shall, forthwith, issue an order dismissing the charges.

(6) Acceptance of this Consent Order constitutes an admission of the facts set forth herein.

(7) This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties and accepted by the Board. It shall be published as the Board, in the exercise of its discretion, shall determine.

(8) Failure to comply with this Consent Order, once signed and accepted, shall subject the Respondent to further disciplinary action.

(9) Respondent voluntarily agrees to retire from the practice of medicine in the State of Rhode

Island and voluntarily surrenders his license
effective May 12, 1993.

Signed this 22nd day of April, 1993.

Abdalla B. Abadier, M.D.

Abdalla Abadier, M.D.

Ratified by the Board of Medical Licensure and Discipline at
a meeting held on May 12, 1993.

Barbara DeBuono

Barbara A. DeBuono M.D., M.P.H.
Chairperson
Board of Medical Licensure and
Discipline